



TOWNSHIP OF UPPER UWCHLAN
BOARD OF SUPERVISORS
CONDITIONAL USE HEARING,
REGULAR MEETING
July 16, 2012
7:00 p.m.

Approved

Attending:

Board of Supervisors

Kevin C. Kerr, Chair
Guy A. Donatelli, Vice-Chair
Catherine A. Tomlinson, Member

Township Administration

Cary B. Vargo, Township Manager
Gwen A. Jonik, Township Secretary
Jill Bukata, C.P.A., Township Treasurer
Mike Heckman, Director of Public Works
Al Gaspari, Codes Administrator
Dave Leh, P.E., Gilmore & Associates

John Good, Esq., Township Solicitor
Sheila Fleming, Brandywine Conservancy
Matt Brown, ARRO

Mark Hagerty, Court Stenographer
Chris Williams, McMahon Associates
Bob Wise, Wise Preservation Planning

Mr. Kerr called the meeting to order at 7:00 p.m., led the salute to the flag, and offered a moment of silence. Mr. Kerr announced that following the Conditional Use Hearing, Land Development items would be addressed, then the meeting order would return to the published agenda.

Mr. Kerr asked John Good to conduct the Conditional Use Hearing for Applicant Toll PA IV, L.P., regarding the Frame Property. Mark Hagerty, Court Stenographer, recorded the Hearing. Mr. Good summarized the Application – Toll is seeking Conditional Use Approval to use the Flexible Open Space Design Option and to place improvements within steep slopes to construct 67 new single family detached dwellings on the 3 parcels known as the Frame Property along Little Conestoga Road. Mr. Good noted the Board's Exhibits for the Hearing, as follows:

- 1- Proof of Publication
- 2- Planning Commission's April 12, 2012 meeting minutes - approved.
- 3- Wise Preservation Planning's analysis dated April 26, 2012.
- 4- Gilmore and Associates' review letter dated May 3, 2012.
- 5- Planning Commission's May 3, 2012 workshop minutes – approved.
- 6- Planning Commission's May 10, 2012 meeting minutes – draft.
- 7- Historic Commission's letter dated July 9, 2012.
- 8- Planning Commission's letter dated July 10, 2012.
- 9- July 14, 2012 emails from Bob Watts and Don Carlson, Municipal Authority members

Alyson Zarro, Esq., representing Toll PA IV, was not familiar with Exhibits 7, 8, and 9. Mr. Good advised those Exhibits would be forwarded to Ms. Zarro. Mr. Good announced tonight's Hearing will conclude at 8:15 p.m. Ms. Zarro distributed packets of the Applicant's Exhibits A-1 through A-24, and the Hearing proceeded with testimony by Paul Boettinger, Senior Project Engineer with ESE. Questions and comments were offered by the Board of Supervisors and residents Cliff Schultz, Kumar Bhargava, Tim Corle, and Steve Senn.

Mr. Good concluded the Hearing at 8:15 p.m. and announced a subsequent Hearing would be scheduled and advertised.

Land Development

Wawa - Diesel Fuel Modification – Kristin Ritz of Wawa, Ron Klos, P.E. of Bohler Engineering and Joseph Brion, Esq. of Buckley Brion McGuire Morris and Sommer were in attendance. Mr. Brion presented a Plan for Wawa to replace 2 gas-only fueling pumps with 2 multi-product fueling pumps to include diesel fuel, targeting the growing market of diesel-powered passenger cars, pickup trucks and delivery trucks. The new pumps are not to serve tractor-trailers. The Plan includes installation of a 15,000 gallon, underground diesel fuel storage tank. The conversion to multi-product fuel pumps has been successfully implemented at other local stores.

Following a brief period of discussion, Mr. Donatelli moved, seconded by Mrs. Tomlinson, to grant Final Approval to the Amended Final Land Development Plan of Wawa Store #201, as prepared by Bohler Engineering, with a revised date of April 3, 2012. The Motion carried unanimously.

Bentley Systems – Eagleview Corporate Center Lot #5 -- Neal Fisher, P.E. – Hankin Group and Geoff Bartlett -Bentley were in attendance. Mr. Fisher reviewed the proposed land development plan for Bentley Systems' 3-story, 71,000 square foot office building on Lot #5 of the Eagleview Corporate Center. The overall design of this project is to create a corporate campus. The project has gone through the approval process to "Vacate a Road" in order to close the portion of Township Line Road between Pennsylvania Drive and Stockton Drive, and also received Conditional Use Approval in order to allow the building to be 45' high.

The Planning Commission reviewed the Plan and recommended approval. Trails will be provided along the perimeter of the campus and a trail will be constructed along West Township Line Road from Stockton Drive west to Kendra Drive. Mr. Fisher confirmed that all comments contained in Gilmore & Associates' July 6 review letter would be addressed.

Mrs. Tomlinson moved, seconded by Mr. Donatelli, to grant Preliminary / Final Approval of the Land Development Plan titled "Eagleview Lot #5 – Bentley Systems" as prepared by Nave Newell dated April 5, 2012 and last revised June 14, 2012, with the condition that the Consultants' comments are addressed and all State and County permits are secured. The Motion carried unanimously.

Orleans Homes – The Mews at Byers Station -- Escrow Release – Cary Vargo reported that Orleans has completed all agreed-upon repair work at the Mews, with the exception of 3 sections of sidewalk that they'll fix this week. Orleans requests the Township release the \$10,000 remaining in the Performance Bond and accept the \$137,000 18-month Maintenance Bond.

Mr. Donatelli moved, seconded by Mrs. Tomlinson, to release the final \$10,000 from the Performance Bond and accept the 18-Month Maintenance Bond. The Motion carried unanimously. Kevin Kerr, and Barb Edwards, thanked Al Gaspari, Dave Leh and Cary Vargo for their efforts resolving these items.

Approval of Minutes

Mrs. Tomlinson moved, seconded by Mr. Donatelli, to approve as presented the minutes of the June 12, 2012 Supervisors Workshop and the June 18, 2012 Supervisors Meeting. The Motion carried unanimously.

Approval of Payments

Mr. Kerr announced the payments from the General Fund total \$147,671.66, Capital Fund \$134,648.21, Solid Waste Fund \$57,340.12 and Act 209 \$3,518.60. Mr. Donatelli moved, seconded by Mrs. Tomlinson, to pay all vendors as listed. The Motion carried unanimously.

Treasurer's Report

Jill Bukata reported that the Township's financial position continues to be strong. Letters to delinquent trash accounts were mailed in May and \$55,493 has been collected (32% of monies owed). Letters to delinquent sewer accounts were mailed in June and \$27,658 has been received (16% of monies owed). No response was received from 95 delinquent trash accounts, prompting lien preparation.

Jill Bukata requested approval to transfer \$450,000 from the Capital Fund to the Act 209 Fund to pay current invoices for the Adaptive Traffic Signal Control project. Once the ARLE Grant reimbursement monies have been received, that amount will be returned to the Capital Fund. No Capital Fund projects will be affected by this transfer.

Mr. Donatelli moved, seconded by Mrs. Tomlinson, to approve the requested transfer of funds.

Supervisor's Report

Mr. Kerr read the following report from emergency service providers: Ludwigs Corner Fire Company – 5 fire calls; Lionville Fire Company 8 fire calls; Glenmoore Fire Company – 0 fire calls; Uwchlan Ambulance Corps – 33 calls.

Mr. Kerr announced the calendar: July 18, 2012 Yard Waste Collection; August 14, 2012 4:00 p.m. Board of Supervisors Workshop; August 15, 2012 Yard Waste Collection; August 20, 2012 7:00 p.m. Board of Supervisors Meeting.

Administrative Reports

Township Engineer's Report

Dave Leh reported he attended a pre-construction meeting for Hankin's Eagleview Crossing project, a hotel and restaurant, on Route 100 just south of the Turnpike overpass mainly in Uwchlan Township.

Building and Codes Department Report

Al Gaspari reported 33 building permits were issued in June, totaling \$10,186 in fees. Mr. Gaspari has been involved with the irrigation installation project at Fellowship Fields, funded by GEYA, as well as the installation of new scoreboards at Hickory Park, funded by GEYA baseball.

Police Chief's Report

Chief DeMarco was not in attendance this evening.

Public Works Department Report

Mike Heckman was not in attendance at this time.

Administration

Bids to provide 2012 Pavement Marking services were opened July 10, 2012. Mike Heckman had prepared a memo recommending award of the contract to Traffic and Safety Signs as they were low bidder on the combination of painting and durable marking. The bid price was over budget so the scope of work will be adjusted to align with the budget.

Mrs. Tomlinson moved, seconded by Mr. Donatelli, to award the 2012 Pavement Marking Contract to Traffic and Safety Signs. The Motion carried unanimously.

Cary Vargo requested authorization to advertise an Alternative Energy System Ordinance, which provides for the installation of solar, wind, and geothermal energy systems. The Township Planning Commission and County Planning Commission reviewed the Draft and all comments have been addressed. Mr. Kerr authorized the advertisement of the Ordinance.

Open Session

Ed Edwards commented on a crosswalk on Fellowship Road, from Eagle Hunt to Fellowship Fields. Al Gaspari advised a crosswalk exists but perhaps in-road signs would be beneficial. Mr. Kerr would like to discuss this at a Supervisors workshop.

Kumar Bhargava commented on the lack of fencing around the entire perimeter of the pool at Byers Station Clubhouse #2. Al Gaspari has been advising the project's manager of their responsibility to complete the fencing.

Bob Fetters, Jr. questioned several payments, and commented on people running stop signs and red lights.

Ed Edwards commented on the need for protection for pedestrians under the Turnpike overpass and along Township Line Road.

Steve McNaughton questioned the description of the flexible overlay option, Toll's design for the Frame Property and doesn't think adequate usable open space has been provided.

Adjournment

There being no further business to be brought before the Board, Mr. Kerr adjourned the meeting at 9:40 p.m.

Respectfully submitted,

Gwen A. Jonik
Township Secretary